



FEB 08 2006

S/N 10/739,882

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zhendong Jin et al. Examiner: Raymond Covington
Serial No.: 10/739,882 Group Art Unit: 1625
Filed: December 18, 2003 Docket: 875.080US1
Title: TOTAL SYNTHESIS OF DAURICHROMENIC ACID

DECLARATION OF CANDIS BUENDING

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Candis Buending, declare and state as follows:

1. I am employed as a paralegal by Schwegman, Lundberg, Woessner & Kluth, P.A., Minneapolis, Minnesota, the attorneys of record in the above-identified application.

2. We received a non-final Office Action dated August 5, 2005, which on page 12 cited references described only as "Oberg and Vrang, Yarchoan et al. or Flexner and Hendrix." Copies of these references (and other references cited on pp. 9 and 12) were not included with the Office Action, nor was there included a Form 892 from the Examiner listing his cited references. A check of private Pair showed no Form 892 connected with the Office Action of August 5, 2005, and copies of the missing references were not posted. Because the Oberg and Vrang, Yarchoan et al. or Flexner and Hendrix were inadequately identified in the action, we were unable to obtain copies through other sources.

3. On November 3, 2005, Attorney Richard Schwartz (then employed by our firm) told me that he had attempted to contact Examiner Raymond Covington to request that he provide copies of the cited references and reset the response date.

4. On December 5, 2005, I left a voicemail for Examiner Covington repeating Mr. Schwartz's request, and also left a similar message for SPE Cecilia Tsang. I received no response.

5. On December 22, 2005, I left another voicemail for SPE Tsang, but received no response.

6. On January 9, 2006, Examiner Covington left me a voicemail message asking me

to call Brenda Gray in Group 1600 (571-272-0628), and on that day I left a voicemail for Ms. Gray repeating my request.

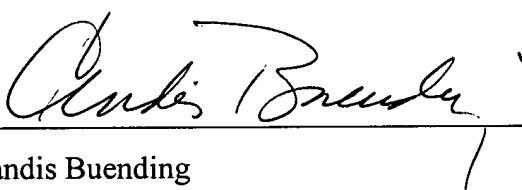
7. On January 10, 2006, having not heard from Ms. Gray, I left another voicemail message for her.

8. On January 11, I called Ms. Gray again, and spoke to her in person. She suggested filing a document with the Examiner titled Request for Restart, stating that no Form 892 or copies of cited references had been received.

9. On January 17, 2006, we electronically filed with the Office a Request for Restart (described in Pair as "Miscellaneous Incoming Letter"), which received EFS ID No. 1002426. To date, we have received no response.

10. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 2, 2006



Candis Buending